FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 34 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

CORAM: A.S. OKA, J.
DATE : 2nd September, 2004.

P.C.:-

1. Heard learned counsel appearing for the parties. The Applicant is the wife and the Respondent is the Husband. The Respondent has filed Hindu Marriage Petition No. 110 of 2002 against the Applicant for Decree of Divorce. The said application is pending before the Learned Civil Judge Senior Division, Jalna.

2. The ground pleaded for transfer is that the Applicant is the resident of Nasik which is at a distance of 275 Kilometres from Jalna. The Applicant is

residing at Nasik with a female child aged four years. The child is handicapped. It is stated that in the circumstances, it is not possible for the Applicant to attend the Court at Jalna.

3. After having heard the counsel for the parties, I am satisfied that in view of the averments made in paragraph nos. 2, 3 and 5 of the Application, a case is made out for transfer. Accordingly, application is allowed in terms of prayer clause (a) with no orders as to costs.

4. The learned Civil Judge Senior Division, Jalna is directed to transfer the record and proceedings of the Hindu Marriage Petition to the Court of Civil Judge Senior Division, Nasik immediately on production of authenticated copy of this order.

5. The learned Civil Judge Senior Division, Nasik will issue notice to both the parties of the date fixed for hearing the matter. the learned Judge

will decide the petition as expeditiously as possible and preferably before 31st October, 2005.

Sd/-

JUDGE